

(RA-85-191)

REDEVELOPMENT AGENCY OF

THE CITY OF SAN DIEGO

RESOLUTION NO. 1137

ADOPTED ON JULY 9, 1985

A RESOLUTION DETERMINING AND DECLARING THAT THE PUBLIC INTEREST, CONVENIENCE AND NECESSITY OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO REQUIRE THE CONSTRUCTION, OPERATION AND MAINTENANCE OF THE HORTON PLAZA REDEVELOPMENT PROJECT IN THE WEST 2.5 FEET OF LOT "H" IN BLOCK D OF HORTON'S ADDITION, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA; AND THAT THE PUBLIC INTEREST, CONVENIENCE AND NECESSITY DEMAND THE ACQUISITION OF FEE TITLE TO SAID PROPERTY FOR SAID HORTON PLAZA REDEVELOPMENT PROJECT; AND THAT AN OFFER TO ACQUIRE THE PROPERTY AT THE APPRAISED FAIR MARKET VALUE HAS BEEN MADE TO THE OWNERS OF RECORD OF THE PROPERTY AND

REJECTED; AND DECLARING THE INTENTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO TO ACQUIRE SAID PROPERTY UNDER EMINENT DOMAIN PROCEEDINGS; AND DIRECTING THE GENERAL COUNSEL OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO TO COMMENCE AN ACTION IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, IN AND FOR THE COUNTY OF SAN DIEGO, FOR THE PURPOSE OF CONDEMNING AND ACQUIRING PROPERTY.

WHEREAS, the Redevelopment Agency of The City of San Diego has provided notice to those persons designated in Section 1245.235, Code of Civil Procedure and also has provided all persons a reasonable opportunity to appear and be heard on the matters referred to in Section 1240.030, Code of Civil Procedure;

NOW, THEREFORE,

BE IT RESOLVED, by the Redevelopment Agency of The City of San Diego, as follows:

Section 1. That the public interest, convenience and necessity of the Redevelopment Agency of The City of San Diego, and the inhabitants thereof, require the removal of blight and the construction, operation and maintenance of the Horton Plaza Redevelopment Project in the west 2.5 feet of Lot "H" in Block

"D" of Horton's Addition, as more particularly described hereinafter.

Section 2. That the public interest, convenience and necessity of the Redevelopment Agency of The City of San Diego, and the inhabitants of The City of San Diego, demand the acquisition and taking of fee title to said property for the removal of blight and the construction, operation and maintenance of the Horton Plaza Redevelopment Project, said real property lying within The City of San Diego, County of San Diego, State of California.

Section 3. That Section 220, the Charter of The City of San Diego; Sections 1240.010, 1240.110, 1240.120 and 1255.410, Code of Civil Procedures; and Section 33000 et seq., Health and Safety Code permit the acquisition referenced herein.

Section 4. That the parcel of real property sought to be condemned is described as follows:

The west 2.5 feet of Lot "H" in Block "D" of Horton's Addition, in the City of San Diego, County of San Diego, State of California according to the map thereof made by L. L. Lockling on file in the office of the County Recorder of San Diego County.

Section 5. That the taking and acquiring by said Redevelopment Agency of The City of San Diego of the real

property hereinabove described are deemed necessary for the removal of blight and the construction, operation and maintenance of the Horton Plaza Redevelopment Project and the inhabitants of The City of San Diego for municipal purposes; that such use is a public use authorized by law (Section 220, Charter of The City of San Diego; Sections 1240.010, 1240.110, 1240.120 and 1255.410, Code of Civil Procedure; and Section 33000 et seq., Health and Safety Code); that for such public use it is necessary for the Redevelopment Agency of The City of San Diego to condemn and acquire said real property; that said real property is to be used for the removal of blight and the construction, operation and maintenance of the Horton Plaza Redevelopment Project which is planned and located in a manner most compatible with the greatest public good and the least private injury; and that an offer to acquire the property at the appraised fair market value required by Government Code Section 7267.2 has been made to the owners of record of the property.

Section 6. That the General Counsel of the Redevelopment Agency of The City of San Diego be, and he is hereby authorized and directed to commence an action in the Superior Court of the State of California, in and for the County of San Diego, in the name and on behalf of the Redevelopment Agency of The City of San Diego, against all owners and claimants to an interest in the

above-described real property, for the purpose of condemning and acquiring the fee interests as above-described, for the use of said Redevelopment Agency of The City of San Diego.

APPROVED: John W. Witt, General Counsel

By

Ronald L. Johnson

Senior Chief Deputy Counsel

RLJ:db:Lit.

7/8/85

Or.Dept:CCDC

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